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A TRIBUTE TO PETER S. POPOVICH

HON. LAWRENCE R. YETKA†

To be a lawyer in a free society means more than becoming a member of an honorable profession. It entails a duty to provide leadership not only to the profession, but also to one's community, state, and nation. Peter Popovich has more than paid his "civic rent."

I have known Peter Popovich for forty-five years. We met as law students at the University of Minnesota. He ultimately transferred and completed his law studies at the William Mitchell College of Law, formerly the Saint Paul College of Law. He was born into humble surroundings in northern Minnesota and had to work to earn his way through junior college, college, and law school. Within a few years after starting a law practice, he ran for and was elected to the legislature in 1952. I had been elected two years previously, and we served for the balance of the 1950s together.

During his legislative career, Chief Justice Popovich was just as hard working and as much a workaholic as he is today. As a result, he was twice elected by his colleagues as the most effective legislator. He became an expert in education law and public financing. He served in the legislature until the fall of 1962. After leaving the legislature, he became widely known throughout the state, appearing in all courts on behalf of many school districts and governmental agencies.

In 1983, after the voters passed the constitutional amendment in the fall of 1982 authorizing a new court of appeals, Governor Perpich picked Peter as the first judge and chief judge of the new Minnesota Court of Appeals. It was the right choice for he was the right man in the right place at the right time. I believe we were the thirty-third state in the Union to have a court of appeals. We had been able to study the courts in existence in the other thirty-two states, learn from their example, and virtually pick our own system. It was Peter Popovich who got it underway, set up the new rules for how the

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court would operate, and reduced the risk of future delays. Today, it serves as a model for other intermediate courts throughout the nation.

In 1987, Peter was appointed by Governor Perpich to the Minnesota Supreme Court to fill Justice Scott's vacated position. A year or so later, he became chief justice. Though he served as chief justice for only twenty-two months, he left a standard of excellence for future chief justices to follow. You all know that his motto was "Justice delayed is justice denied."

Justice Popovich is a remarkable man—an excellent lawyer, judge, administrator, and a prodigious, hard-working individual—who truly has made his profession better than it was when he joined it.